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THE PACIFIC COMMERCIAL ADVERTISER.

Saturday, March 1, 1884.

EDITORIAL ARTICLES.

FROM THE DAILY P. C. A.

THE Report of the majority of the Committee on Foreign Relations of the United States Senate, which we publish elsewhere was followed by a counterblast on the part of the minority, which consisted of Senators John Sherman, and Joseph E. Brown. At the outset they state that their views are substantially embodied in the report made by the Committee on Finance brought up last session. This they adopt and make part of their own report having apparently very little to add to it. They repeat the old story about the loss of revenue and the disparity between the imports and exports from and to these Islands. They seem to rely wholly on the old report of the Finance Committee, ignoring the fact that so many of its statements have been wholly disproved in the meantime. It is really cheering to note the contrast between the talent displayed in the report of the majority and the feebleness of that of the minority. It leads to the pleasing conclusion that the more brains a man has the more likely he is to be on our side. To corroborate our criticism we give in full all the original part of the report which is as follows:

"The facts stated in the report of the Committee on Finance are emphasized by the state of trade during the year 1883, the year following the latest date stated in the tables in the report. It appears that the importation of sugar of the Dutch standard from the Hawaiian Islands during the year 1883, was 114,132,670 pounds, valued at \$7,340,033, and that the rice imported amounted 12,926,951 pounds, an increase of 2,800,000 over the year preceding. The duty that would have been derived from the sugar admitted from the Hawaiian Islands entered for consumption in the United States in 1883 would have been about \$4,000,000, while the entire value of exports of domestic merchandise to the Hawaiian Islands in that year was \$3,683,469, or less than the actual duty that would have been derived from the sugar imported from there.

"The loss of revenue entailed by the treaty seems to the undersigned far greater than any benefit derived from it, and it is submitted that the better way is to terminate the treaty with a view to enter into such commercial relations with the Sandwich Islands as will be more nearly reciprocal than the provisions of the present treaty."

In another column will be found an article taken from a British paper on the action taken at the Geographical Congress, held at Rome in October last on the subject of a common meridian. Another Congress is about to be held in October of the present year, specially to consider this latter question. This is to be held in Washington, under the auspices of the United States Government and convened by the Secretary of State under the authority of an Act of Congress passed in 1882. It will be official in its character and will probably be able to settle this intricate international question once and for all, as the delegates to the conference will actually represent, and be appointed by the governments of the various countries who take part in the gathering.

This conference was not evoked at an earlier date because the Government of the United States thought it desirable to obtain in the first instance by consultation, the views of the leading Governments as to the desirability of holding it. During the interval smother of the Governments of the world have indicated their approval of the

idea, many of them have formally agreed to abide by the decision of the conference, and some have already named their delegates. The Geographical Congress expressed an opinion by a large majority that the longitude of Greenwich should be the initial longitude for all purposes of terrestrial time and geographical definition but as they had no power to decide upon anything they passed over the final adoption of this or some other meridian to the projected International Congress. The President of the United States has now fixed upon 1st October of this year for the meeting of this convention, and has invited all the Governments with whom the States are in diplomatic relations to appoint delegates to represent them on the occasion.

A decision by the conference in favor of any other initial meridian than Greenwich would be productive of great inconvenience to a very large part of the nautical world, including our own shipowners and mariners. It seems to be almost a foregone conclusion that unless the conference serves as the medium whereby other countries can come in and adopt the meridian already in use by England, America and by other States whose merchant navies are of importance, it will fail altogether in the object for which it has been called. When we consider the inconvenience that would be caused to ourselves by a change to a new standard of longitude we can readily understand how serious such a thing would be to England with her enormous marine or to the United States which besides having her shipping to consider, has her vast areas already all mapped out upon the plan of longitude from Greenwich.

In a previous article on the subject of the Bankruptcy Laws of this Kingdom we called attention to the serious delay in the realization of an insolvent's estate which is necessitated by the wording of the Civil Code. Our attention has been repeatedly called by persons whose interests are affected, to the notable illustration of this delay afforded by some recent cases. The dates of various steps in one of them appear to be as follows: On the 3rd of January a declaration of bankruptcy was made and the 16th of that month was fixed for a hearing of the case and for determining whether the individual should or should not be adjudged a bankrupt. The adjudication was made as a matter of course the petitioner being in this case the debtor himself. Notice was therefore issued that on February 14th creditors might attend and prove their claims. This routine business having been disposed of, an order was made that the creditors shall meet on March 5th and elect assignees. After that the practical work of realizing the estate has to be commenced. Thus sixty-two days have been consumed in preliminaries. During all this time according to the custom to which we alluded in our former article the premises of the debtor are being kept shut up with special policemen watching them day and night, at the expense of the luckless creditors.

Comparing the procedure in this case with the law we are unable to understand the cause of the first thirteen days delay. By his own petition the debtor declared himself a bankrupt and the wording of Section 967 of the Civil Code appears only compatible with the idea that such declaration when filed was intended to have the same value and effect as an adjudication has when the petitioners are creditors. We have been informed that the practice of our Judges in this and other points of bankruptcy procedure is not uniform, or rather that they are not all of one opinion on the subject. Nevertheless, even should this preliminary interval of 13 days have been avoided all the rest is positively provided for by the statute book. The intervals between the different stages of procedure are measured (as to their minimum length) by the number of consecutive weekly advertisements to be given of each. The actual date of each hearing must of course be fixed by the Judge whose other engagements have to be considered. In the case under consideration for some reason of which we have not been informed four advertisements instead of three were given of the notice to prove claims. As the advertisements are only published in a weekly paper there is often some days extra delay because the adver-

tisement has to wait for the next issue of the paper. Had it been possible however to do everything as quickly as the words of the law could by any means be construed to allow there must still have been some six weeks or more of delay between the filing of the petition and the appointment of assignees. A palliative of this delay might be found in a very slight amendment of the law, so as to allow creditors when assembled to prove their debts to proceed to the business of electing assignees. This is common enough elsewhere and works very well. But it is probable that a more radical change in procedure would be found advantageous and that the time allotted for the preliminary steps could be reduced to fourteen days without risking the injury of any interest.

BEFORE concluding our remarks upon the Bankruptcy Law of the Kingdom, there are one or two points to which we desire to draw attention. The first of these is the severe provision in section 971 of the Code which says that "any creditor who, after having been served with twenty days previous notice (either written or printed) to attend before the Justice and prove his debt, shall fail to attend without showing good cause for such non-attendance, shall be considered as having waived his debt, and shall not be allowed to come in and prove such debt afterwards." There is no provision in the Code for any notice to creditors except by the advertisement which the Clerk of the Court is to cause to appear for three consecutive weeks. This word "served" in the sentence above quoted, would lead to the idea that some other form of notice was contemplated; but there is nothing else in the law to show that this is intended. This chapter of the Code seems to have been a sort of mosaic work, in which provisions out of several different Bankruptcy Laws have been brought together without sufficient care being taken to see that they were blended into one homogeneous whole. But, aside from the anomaly we have indicated, we think the law defective in its severity towards the creditor who may carelessly or through unavoidable circumstances omit to appear before the judge at the appointed time. It is common elsewhere for proofs of debts to be received at any time by the Clerk of the Court. The reception of these proofs are mere detail work, in which it is not necessary to engage the attention of so high a functionary as a judge. Such an arrangement here would save a great deal of trouble, especially if the equally common system of allowing creditors to appear at the meeting for appointment of assignees by proxy were added to it. Then as to the limit of time within which a creditor may make proof of debt, there is a point in the proceedings which naturally presents itself as the proper one. This is when the assignees are ready to declare a dividend. Unproved claims may then be properly set aside. The object of proceedings in bankruptcy is two-fold—to relieve the debtor, and to divide his assets equitably among his creditors. A harsh rule like that of section 971 is not equitable because it is not necessary. This has been so well recognized by the framers of other Bankruptcy Codes, that even after a first dividend has been declared, should there be others, a creditor may put in his claim at any time and secure his share of any dividends which may be declared subsequent to the date of his proof. His forfeit is so much as would have been his share had he been more prompt. No one is injured by allowing him to come in at any time before the dividend is declared, because no other creditor has any right to exclude him from his share unless by his delay he would delay a distribution. That ought not to be allowed, but until it comes to that he ought not to be excluded. We must reserve our remarks on the other points upon which we desire to touch, for another article.

Among the many outfitting and clothing houses in this city that of the O. P. M. E., though only established a little over a year, is equally as well known as its older competitors. It stands conspicuously at the corner of Fort and Merchant Streets, and is representative of the growth and progress in this special line of business. The genial manager Mr. Sam Lederer, is enterprising and liberal in all his dealings, and his establishment is an excellent example of the ideal clothing house. The needs of the public having been so carefully attended to since the foundation of the O. P. M. E. it has obtained for itself a well deserved reputation that is second to none in the city, and Mr. Lederer remains unexcelled in his special line of business.

MR GRIP'S REPORT.

An English translation of this report appears in the Honolulu Almanac and Directory, a publication issued by the proprietors of this paper. The *Gazette*, in an uncourteous notice of the Almanac, has the following: "Why has such an important paper not seen the light in the public press. It is a disgrace to the management of the Foreign Office that a paper which could have been of such assistance in refuting the calumnies against our labor system should have rested nearly a year in its pigeon holes, and then be published in this hole and corner manner." By inquiring in the proper quarter the editor of the *Gazette* might have learnt that the Government has never received any official copy of Mr. Grip's report. As stated at the time in our columns, one of the last acts of goodwill to this country on the part of the late Mr. J. C. Pfluger was to procure a German translation of the report and circulate it freely in Germany at his own expense. We also announced our intention of reproducing the report in abstract in our columns. Finding that the report was so constructed that to abridge it would be to spoil it and that it was too long for the ADVERTISER, we reserved it for the Almanac, the first sheets of which were then going through the press. An accidental delay in the publication of the Almanac has postponed the fulfilment of our promise. Fortunately our contemporary was not enterprising enough to anticipate us.

COMMERCIAL.

SATURDAY, March 1, 1884.

Business matters have revived somewhat since our last week's issue. Retail dealers report having executed some large and profitable orders during the week past, and business in general is gradually recovering from the lethargic state into which it had temporarily relapsed.

The overdue bark Calbarien arrived on the 24th ultimo, after a 30 days' passage from San Francisco, and other vessels from the Coast have arrived, after unusually long passages, each one reporting a continuance of light southerly winds.

The imports have been large, and wholesale and retail dealers are well stocked in all lines of merchandise. This day Messrs. S. Cohn & Co. open another large outfitting store on Fort street with full lines of first-class goods.

The receipts of sugar for the week amount to nearly 30,000 bags, exceeding the week previous by 5,000 bags. The exports of our staple commodity have been correspondingly large, and to-day the steamship Alameda sails with 2,200 tons of freight, 2,100 tons of which is sugar.

The custom-house statistics for 1883, to which we briefly referred last week, will be found in another column.

The Pacific Mail steamship City of Sydney brought two days' later dates, from which we learn in regard to sugar, that "foreign advices are more encouraging, and a more hopeful feeling exists respecting the future." The rice market had fallen a trifle from the previous advices.

The arrivals for the week comprise the U. S. S. S. Hartford from Valparaiso, the bark W. O. Whitmore and tern D. S. Williams from the Sound, the bark Calbarien, P. M. S. S. City of Sydney, barkentine Eureka, bark D. C. Murray, steam whalers Thrasher and Narwal, and the Josephine (whaler) from San Francisco.

The departures were the Anna and Island for San Francisco, steamship City of Sydney for the Colonies, bark Ceylon for Hongkong, steam whaler Thrasher, whaling barks Josephine and Mary & Susan for the Arctic.

The Hawaiian Cable Company have received further favorable reports from their surveying vessel.

Advices from the Portuguese recruiting depot are expected by next mail, and it is anticipated that the next batch of immigrants will arrive about the end of May.

The bark Helena from Hongkong is overdue, and the W. H. Dimond and Discovery are about due from San Francisco; also the barkentine Amelia from Puget Sound with a load of lumber.

(Per City of Sydney.)

SAN FRANCISCO, February 16, 1884.

Dear Sir:—Our last letter was dated January 21st, per Zealandia, since which time the State has been visited with copious rains, which came at a very opportune time. The fall has been quite heavy in the southern portion.

SUGAR—New York advices quote Cuba Centrifugals steady at 6½¢ for 96 per cent. Foreign advices are more encouraging, and a more hopeful feeling exists respecting the future. Changes of the year, compared with previous year, are: Stocks, 1,994 tons more; receipts, 72,311 tons more; distribution, 21,919 tons more; prices centrifugals, ½¢ lower. An active demand continues from the grocery trade of this city for fair grades of Island Sugars, and sales are made at from 6 to 6½¢ in bags and 6½¢ for Hutchinson's in kegs.

RICE—The market has fallen from the buoyancy advised in our last, when large sales were reported for Eastern account (10,000 bags at 4½¢). After this sale an advance to 5¢ was established, and it seemed firm at that figure till the arrival of the Alameda with 1,900 bags and reports of 7,000 bags on the way, when the principal holder reduced his price to 4½¢, 46 days. It is said that a considerable portion of the 10,000 bags is yet to be delivered from shipments on the way.

FLOUR—Golden Gate, extra quality, 85 45; El Dorado, 84 25.

BRAN—\$17.50 c. b.

BARLEY—Feed, 50c.

HAY—Wheat, \$15.50 c. b.; Wheat, large bales, \$14 50.

GROUND BARLEY—\$22.

LIME—\$1 50.

OATS—Medium, \$1 40; fair, \$1 64; choice, \$1 80.

WOOL.—We quote Fall as follows: Northern San Joaquin, 12½¢@17c.

CHARTERS.—Since our last, two iron ships have accepted 22s. 6d. to Cork, U. K., the lowest ever known here. With rain more demand has existed (principally on farmers' account, however), and last transactions were 32s. 6d. to Cork, U. K., for iron, and 33s., Cork, for orders to Liverpool, Havre or Antwerp, for wooden.

Rainfall to date, 13 25-100 inches, against 12 7-100 same time last year.

EXCHANGE—London, 60 days sight, 49½d.; New York sight, 17½¢@20c. premium.

Yours faithfully,

WILLIAMS, DIMOND & CO.

FOREIGN CORRESPONDENCE.

[CONCLUDED.]

As we prophesied in a former letter now that England has got ready she has "pitched in" to save the Sudan but it was a costly delay, still the cry is she must annex the country or evacuate it, and she is sending ships and men, and even turning back the poor fellows homeward bound in the Suez Canal. France rejoices and believes that England has lost prestige by the fall of Sinkrit. Some one boldly suggested, what if the Mahdi does establish a Kingdom in the Sudan and Lower Egypt with ports on the Red Sea? What if Abyssinia obtains a port on that sea? How would it harm England? Far from this it would be to her advantage because she is virtually mistress of the Red sea. She would gain were no country with a shore line on the Mediterranean to have one single port on the Red sea. Even if the Mahdi were to evict the Turks from Arabia she ought to rejoice for events would be working for her. To-day's dispatch that General "Chinese" Gordon's parting words to Nubar Pasha were, "I will save the honor of Egypt," to which Nubar Pasha replied: "Never mind Egypt; save the women and children," brings to mind Gordon's reputation as something of a crank when he was gaining his soubriquet of Chinese Gordon when he was helping the "imps" as the Imperialists were called, to put down the Taeping rebellion. It is not generally known that the American General Ward, whom English biographers try to daffarise as a filibuster hired by the foreign merchants in China, attained something like the rank of a prince of the blood royal at that time, and had he not been killed in an assault on the city of Ningpo, would perhaps have eclipsed Gordon's record. It was the blows dealt the Chinese rebellion by the American soldier of fortune that made his British successors's work so easy.

The statistics of the expenses of the Sultan of Turkey form an interesting schedule just now when Turkey and her so-called dependencies are to the fore. He is obliged to borrow from day to day at ruinously usurious rates to defray the daily expenses of his palace, and in the face of a deficit of \$30,000,000, in a budget of \$60,000,000, has just increased his Grand Vizier's salary from \$750 to \$3,750 per month, and that of all the other Ministers from \$600 to \$1,500 per month. Thus the Prime Minister of the poorest and most hopelessly bankrupt State in Europe, receives \$20,000 per annum more than the Prime Minister of England. No wonder the Sultan wanted to consult ex-Governor Stanford how it was that America managed to get rid of her war debt so easily, and get so many thousand miles of railroad constructed so easily. The dispatch tells that the Sultan gave a hint he would like Stanford to undertake the Bagdad line—which sounds like a railroad in an opera bouffe. Will England pension El Mahdi when she secures him, as she has treated Arabi Pasha? That worthy gets £500 a month. News come from Ceylon that although some of the exiles suffered at first from the extreme dampness of the climate, all are now acclimatized. Each family occupies a separate dwelling, and most of them have chosen to reside in a remote suburb. They send their children to school and try themselves to learn English. The Mohametan community regard them with feelings of veneration as martyrs of their religion especially Arabi, who is followed to the mosque by throngs. There are also certain English houses where the exiles are well received. Madame Arabi, the Pasha's wife, continues to reside in Egypt, the climate of Ceylon not being suited to her.

The dispatches about the coming of Adelina Patti to California are as conflicting and hesitating as the French intentions in Tonquin. The latest advice say she is coming. Meantime we have a very respectable English Opera troupe, with Miss Emma Abbott as *prima donna*.

COMRADE.